

Introduced by Senator Scott

January 25, 2007

An act to amend Sections 70120, 70124, 89267, and 92645 of, and to add Section 70128.5 to, the Education Code, and to add Article 5 (commencing with Section 128050) to Chapter 2 of Part 3 of Division 107 of the Health and Safety Code, relating to nursing education.

LEGISLATIVE COUNSEL'S DIGEST

SB 139, as introduced, Scott. Nursing education.

(1) Existing law establishes the Student Aid Commission as the primary state agency for the administration of state-authorized student financial aid programs available to students attending all segments of postsecondary education.

Existing law establishes the State Nursing Assumption Program of Loans for Education (SNAPLE), administered by the commission, under which any person enrolled in an institution of postsecondary education and participating in that loan assumption program is eligible to receive a conditional warrant for loan assumption, to be redeemed upon becoming employed as a full-time nursing faculty member at a California college or university.

Existing law establishes a loan assumption program for employees of specified state facilities within the SNAPLE program. This program provides loan assumption benefits to persons who fulfill agreements to work full time for 4 consecutive years as clinical registered nurses in state-operated 24-hour facilities, as specified, that employ registered nurses and that, at the time the person commences employment at the facility, have a vacancy rate of greater than 10% in clinical registered nursing positions, as reported, pursuant to the bill, to the commission by the Department of Personnel Administration. The program provides

for a progressive assumption of the amount of a qualifying loan over 4 consecutive years of qualifying clinical registered nursing service, up to a total loan assumption of \$20,000.

Under existing law, this program becomes inoperative on July 1, 2012, and is repealed on January 1, 2013.

This bill would make a person who is currently employed as a registered nurse in a state-operated 24-hour facility ineligible to enter into an agreement for loan assumption under this program. The bill would also specify that, in any fiscal year, the commission shall award no more than the number of warrants that are authorized by the Governor and the Legislature in the annual Budget Act for that year for the assumption of loans pursuant to the program.

(2) Existing law establishes the California State University, under the administration of the Trustees of the California State University, as one of the segments of public postsecondary education in this state. Existing law provides for the operation of 25 component institutions of the university.

Existing law establishes the University of California, under the administration of the Regents of the University of California, as one of the segments of public postsecondary education in this state. Existing law authorizes the provision of instruction at the 10 component institutions of the university. Existing law expresses legislative intent with respect to the expansion of baccalaureate degree nursing programs of those respective segments.

This bill would express legislative intent that the funding for the enrollment expansions referenced in this section be funded within the general enrollment growth funding that is traditionally provided to the respective segments during the annual Budget process.

(3) Existing law establishes the Office of Statewide Health Planning and Development, which is charged with the administration of health policy and planning. Existing law establishes the California Health Data and Planning Fund, and authorizes moneys from that fund to be appropriated for expenditure for health-related programs of the office.

This bill would provide for the establishment of a healthcare workforce clearinghouse under the administration of the Office of Statewide Health Planning and Development. The bill would provide that the clearinghouse would serve as the central source of health care workforce and educational pipeline data in the state. The bill would provide that the activities of the clearinghouse would be funded by

appropriations made from the California Health Data and Planning Fund.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 70120 of the Education Code is amended
2 to read:

3 70120. (a) (1) Any person enrolled in an eligible institution,
4 or any person who agrees to work full time as a registered nurse
5 in a state-operated 24-hour facility that employs registered nurses,
6 may be eligible to enter into an agreement for loan assumption, to
7 be redeemed pursuant to Section 70122 upon becoming employed
8 as a clinical registered nurse in a state-operated 24-hour facility
9 that employs registered nurses and that has a clinical registered
10 nurse vacancy rate of greater than 10 percent as reported annually
11 to the commission by the Department of Personnel Administration
12 pursuant to Section 70121. In order to be eligible to enter into an
13 agreement for loan assumption, an applicant shall satisfy all of the
14 conditions specified in subdivision (b).

15 (2) As used in this article, “eligible institution” means a
16 postsecondary institution that is determined by the Student Aid
17 Commission to meet both of the following requirements:

18 (A) The institution is eligible to participate in state and federal
19 financial aid programs.

20 (B) The institution maintains an accredited program of
21 professional preparation for licensing as a registered nurse in
22 California.

23 (3) As used in this article, “state-operated 24-hour facility”
24 includes, but is not necessarily limited to, a state-operated prison,
25 psychiatric hospital, or veterans’ home.

26 (b) (1) The applicant has been admitted to, or is enrolled in, an
27 accredited program of professional preparation for licensing as a
28 registered nurse in California. *However, a person who is currently*
29 *employed as a registered nurse in a state-operated 24-hour facility*
30 *is not eligible to enter into an agreement for loan assumption under*
31 *this article.*

32 (2) The applicant is currently enrolled, or has been admitted to
33 a program in which he or she will be enrolled, on a full-time basis,

1 as determined by the participating institution. The applicant shall
2 agree to maintain satisfactory academic progress and a minimum
3 of full-time enrollment, as defined by the participating eligible
4 institution.

5 (3) The applicant has been judged by his or her postsecondary
6 institution to have outstanding ability on the basis of criteria that
7 may include, but need not be limited to, any of the following:

8 (A) Grade point average.

9 (B) Test scores.

10 (C) Faculty evaluations.

11 (D) Interviews.

12 (E) Other recommendations.

13 (4) The applicant has received, or is approved to receive, a loan
14 under one or more of the following designated loan programs:

15 (A) The Federal Family Education Loan Program (20 U.S.C.
16 Sec. 1071 et seq.).

17 (B) Any loan program approved by the Student Aid
18 Commission.

19 (5) The applicant has agreed to work full time for at least four
20 consecutive years as a clinical registered nurse in a state-operated
21 24-hour facility that employs registered nurses and that has a
22 clinical registered nurse vacancy rate of greater than 10 percent
23 as reported annually to the commission by the Department of
24 Personnel Administration.

25 (c) No applicant who has completed fewer than 60 semester
26 units, or the equivalent, shall be eligible under this section to
27 participate in the loan assumption program set forth in this article.

28 (d) An agreement shall remain valid even if the state-operated
29 facility at which the applicant is employed ceases to be listed
30 pursuant to Section 70121 after the applicant is employed there.

31 (e) A person participating in the program pursuant to this section
32 shall not enter into more than one agreement.

33 SEC. 2. Section 70124 of the Education Code is amended to
34 read:

35 70124. (a) Except as provided in subdivision (b), if a program
36 participant fails to complete a minimum of four consecutive years
37 of full-time employment as required by this article, under the terms
38 of the agreement pursuant to paragraph (5) of subdivision (b) of
39 Section 70120, the participant shall assume full liability for all
40 student loan obligations remaining after the commission's

1 assumption of loan liability for the last year of qualifying clinical
2 registered nursing service pursuant to Section 70123.

3 (b) Notwithstanding subdivision (a), if a program participant
4 becomes unable to complete one of the four consecutive years of
5 qualifying clinical registered nursing service due to serious illness,
6 pregnancy, or other natural causes, the term of the loan assumption
7 agreement shall be extended for a period not to exceed one year.
8 The commission shall make no further payments under the loan
9 assumption agreement until the applicable work requirements as
10 specified in Section 70122 have been satisfied.

11 (c) If a natural disaster prevents a program participant from
12 completing one of the required years of work due to the interruption
13 of employment at the employing state facility, the term of the loan
14 assumption agreement shall be extended for the period of time
15 equal to the period from the interruption of employment at the
16 employing state facility to the resumption of ~~instruction~~
17 *employment*. The commission shall make no further payments
18 under the loan assumption agreement until the applicable ~~teaching~~
19 *employment* requirements specified in Section ~~70103~~ 70123 have
20 been satisfied.

21 SEC. 3. Section 70128.5 is added to the Education Code, to
22 read:

23 70128.5. Notwithstanding any other provision of law, in any
24 fiscal year, the commission shall award no more than the number
25 of warrants that are authorized by the Governor and the Legislature
26 in the annual Budget Act for that year for the assumption of loans
27 pursuant to this article.

28 SEC. 4. Section 89267 of the Education Code is amended to
29 read:

30 89267. It is the intent of the Legislature:

31 (a) That, pursuant to funding to be appropriated in the Budget
32 Act of 2007, the trustees should increase, by at least 340, the
33 number of full-time equivalent students in baccalaureate degree
34 nursing programs, beginning in the 2007–08 fiscal year.

35 (b) That the trustees provide a report to the Governor and the
36 Legislature on or before March 15, 2007, on the proposed
37 expenditure plans to expand nursing programs to enroll an
38 additional 340 full-time equivalent students as a result of the funds
39 appropriated in the Budget Act of 2007.

1 (c) To support the expansion of future baccalaureate degree
2 nursing enrollment with annual appropriations in the State Budget
3 Act.

4 (d) *That the funding for the enrollment expansions referenced*
5 *in this section be funded within the general enrollment growth*
6 *funding that is traditionally provided to the California State*
7 *University during the annual State Budget process.*

8 SEC. 5. Section 92645 of the Education Code is amended to
9 read:

10 92645. It is the intent of the Legislature that all of the following
11 occur:

12 (a) That, pursuant to funding to be appropriated in the Budget
13 Act of 2007, the Regents of the University of California should
14 offer at least 175 full-time equivalent students in baccalaureate
15 degree nursing programs, at least 140 state-supported full-time
16 equivalent students in accelerated master's level nursing programs,
17 including entry-level master's programs and entry-level master's
18 clinical programs, at least 41 full-time equivalent associate degree
19 nursing (ADN) transitional to bachelor's of science of nursing
20 (BSN) and full-time equivalent master of science of nursing (MSN)
21 students, and at least 40 full-time equivalent students in traditional
22 master of science in nursing (MSN) degree programs by the
23 2007–08 academic year.

24 (b) That the regents provide a report to the Governor and the
25 Legislature on or before March 15, 2007, on the proposed
26 expenditure plans to expand nursing programs to enroll the
27 additional students identified in subdivision (a).

28 (c) That the expansion of future baccalaureate, accelerated
29 master's degree, ADN transitional to BSN and MSN degrees, and
30 traditional MSN degree nursing enrollment be supported with
31 appropriations in the annual Budget Act.

32 (d) *That the funding for the enrollment expansions referenced*
33 *in this section be funded within the general enrollment growth*
34 *funding that is traditionally provided to the University of California*
35 *during the annual State Budget process.*

36 SEC. 6. Article 5 (commencing with Section 128050) is added
37 to Chapter 2 of Part 3 of Division 107 of the Health and Safety
38 Code, to read:

Article 5. Health Care Workforce Clearinghouse

128050. The Office of Statewide Health Planning and Development is responsible for establishing a health care workforce clearinghouse to serve as the central source of health care workforce and educational pipeline data in the state. The clearinghouse shall be responsible for the collection, analysis, and distribution of information on the educational and employment trends for health care occupations in the state. The activities of the clearinghouse shall be funded by appropriations made from the California Health Data and Planning Fund in accordance with subdivision (h) of Section 127280.

128051. The Office of Statewide Health Planning and Development shall work with the Employment Development Department's Labor Market Information Division, state licensing boards, and state higher education entities to collect all of the following data:

- (a) The current supply of health care workers, by specialty.
- (b) The geographical distribution of health care workers, by specialty.
- (c) The diversity of the health care workforce, by specialty.
- (d) The current and forecasted demand for health care workers, by specialty.
- (e) The educational capacity to produce trained, certified, and licensed health care workers, by specialty and by geographical distribution.

128052. The Office of Statewide Health Planning and Development shall prepare an annual report to the Legislature that does all of the following:

- (a) Identifies education and employment trends in the health care profession.
- (b) Reports on the current supply and demand for health care workers in California and gaps in the educational pipeline producing workers in specific occupations and geographic areas.
- (c) Recommends state policy needed to address issues of workforce shortage and distribution.

SEC. 7. It is the intent of the Legislature that colleges and universities that operate registered nursing programs should not require students who have been admitted to those programs and who have already earned a baccalaureate degree to complete

- 1 general education requirements, but rather should require these
- 2 students to complete only the coursework that is necessary to
- 3 prepare them for licensing as registered nurses.

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